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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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22850	7590	09/21/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			GREY, CHRISTOPHER P	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/806,484

Applicant(s)

ARWALD ET AL.

Examiner

Christopher P. Grey

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Response to Amendment

1. Responsive to the amendments received on June 8, 2005, claims 1-19 and 21-27 have been entered as requested.

New claims 28-36 have been entered as requested.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-28, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danielson et al. (US 5239662) in view of Mendelson (US 6343083) in further view of Sylvian et al. (WO 98/37724)

Claim 1, 7 Danielson et al. (Danielson 'hereinafter ') discloses within a communication system, a controller (device) configured to establish communication between different/non-compatible locations/networks (elements 34-37 and 31-1-N in fig 3). Danielson discloses these locations/networks using different communication protocols. Danielson discloses devices (elements 21 a-n in fig 2) being coupled to the controller via adapters (elements 22a-n in fig 4), which convert (translate) the received protocol to a common protocol (Col lines 22-68). Danielson does not disclose a protocol coordination mechanism that compares attributes of different protocols supported by a first adapter and a second adapter when establishing the communication session

between the first object and second object. Danielson does not disclose a database having a list of subscribers with associated calling numbers.

Mendelson discloses an invention designed at establishing a connection across a connection- oriented network. Mendelson also discloses an access network controller containing a cache of tables containing IP to MAC translation addresses and other parameters (Col 12 lines 26-59) pertaining to the networks (elements 112 and 110 in Fig 1). The access network controller compares the parameters within the cache in order to translate the specified destination IP address to a corresponding destination address (Col 13 lines 12-15). Mendelson also discloses an Ethernet, ATM and LAN network (Col 5 lines 25-49). Although one skilled in the art can appreciate the cache of tables disclosed by Mendelson including a list of subscribers, it is not specifically disclosed within the specification.

Sylvian et al. (Sylvian 'hereinafter') discloses within a communication system a plurality of communication networks, each utilizing its own protocol. Furthermore, Sylvian discloses a database (element 250 in fig 3) that stores subscription data (disclosed on page 9 lines 7-27).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the controller disclosed by Danielson with the controller disclosed by Mendelson, aimed towards comparing parameters in order to translate protocols. The motivation for the modification of these teachings is to achieve better management of connections (see abstract). Furthermore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the teachings of both

Danielson and Mendelson with the subscription and service list/database disclosed by Sylvian. The motivation for this modification is to provide management of multiple networks and services in a more efficient manner (disclosed on page 3 lines 3-5).

Claim 2, 8 Danielson discloses a central site/controller (element 30 in fig 3) that communicates with different locations (objects), and routes/switches the information accordingly (Col 4 line 22-38). The motivation is the same as that for claim 1 and 7.

Claim 3, 9 Danielson discloses several devices being interfaced with the communication controller (router) via adapters (elements 22 A-N in fig 2). This controller is designed to control and route (router) information (disclosed in Col 4 lines 53-68). Danielson does not disclose a database containing a subscriber list and numbers. Danielson also does not disclose a control signal being sent to establish a protocol to be employed.

Sylvian discloses a main database containing subscriber information (page 3 lines 8-17 and page 9 lines 7-27). Sylvian also discloses when a new subscriber attempts to connect to a network, the subscriber accesses the main database, where information (protocol info) is gathered about the new device and communicated (control signal) to the affected networks/devices Page 13 line 1-17).

The motivation is the same as that for claim 1 and 7.

Claim 4, 10 Danielson does not disclose the entries within the database being changed when the subscriber moves from one object affiliation to the other.

Sylvian discloses the maintenance of subscriber data, location and activity information, and no need for changing calling numbers (Page 8 lines 12-18 and page 16 lines 1-23). The motivation is the same as that for claim 1 and 7.

Claim 5, 11 Danielson does not disclose the entries within the database having associated calling numbers for a particular subscriber with an object and a net number for said subscriber.

Sylvian discloses several different assigned numbers for a given subscriber (page 16 lines 1-23). The motivation is the same as that for claim 1 and 7.

Claim 6, 12 Danielson does not disclose associating one calling number for a subscriber with a net number and another number at which the subscriber is available.

Sylvian discloses a number of different numbers being assigned to each subscriber, where the different numbers represent different specifications (net and availability, page 16 lines 1-23). The motivation is the same as that for claim 1 and 7.

Claim 13, 27 Danielson et al. (Danielson 'hereinafter ') discloses within a communication system a method comprising a controller (device) configured to establish communication between different/non-compatible locations/networks (elements 34-37 and 31-1-N in fig 3). Danielson discloses devices (elements 21 a-n in fig 2) being coupled to the controller via adapters (elements 22a-n in fig 4), which convert (translate) the received protocol to a common protocol (Col lines 22-68). Danielson does not disclose identifying attributes of both objects.

Mendelson discloses an invention designed at establishing a connection across a connection- oriented network. Mendelson also discloses an access network controller

containing a cache of tables containing IP to MAC translation addresses and other parameters (Col 12 lines 26-59) pertaining to the networks (elements 112 and 110 in Fig 1). The access network controller compares the parameters within the cache in order to translate the specified destination IP address to a corresponding destination address (Col 13 lines 12-15).

Therefore it would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the controller disclosed by Danielson with the controller disclosed by Mendelson, aimed towards comparing parameters in order to translate protocols. The motivation for the modification of these teachings is to achieve better management of connections (see abstract).

Claim 14 Danielson discloses converting (translate) a received protocol to a common protocol (Col lines 22-68). Danielson does not disclose determining whether an intermediate translating step is required.

Mendelson discloses a controller that makes an initial translation, and furthermore determines if the destination address is native or not, and translates as necessary (Col 13 lines 12-15).

The motivation is the same as that for claim 13.

Claim 15 Danielson discloses converting (translate) a received protocol to a common protocol (Col lines 22-68). Danielson does not disclose the predetermined protocol being different from the native protocol and another protocol.

Mendelson discloses a controller that makes an initial translation, and furthermore determines if the destination address is native or not, and translates as necessary (Col 13 lines 12-15).

The motivation is the same as that for claim 13.

Claim 16 Danielson discloses devices (elements 21 a-n in fig 2) being coupled to the controller via adapters (elements 22a-n in fig 4), which convert (translate) the received protocol to a common protocol (Col lines 22-68). Furthermore, Mendelson discloses a conversion of protocol exclusively at the adapters (disclosed in Col 8 line 60- Col 9 line 3). The motivation is the same as that for claim 13.

Claim 17 Danielson does not disclose determining whether an activity in the first object requires communication outside of the object and initiating a sending step when the activity takes place outside of the first object.

Sylvian discloses when a subscriber enters a new coverage area (activity), a location update is communicated (sending step) to an HLR (Col 12 lines 10-21).

The motivation to modify the teachings of Danielson and Mendelson with the subscriber profile (HLR) disclosed within Sylvian's invention is to manage and control subscriber information and services.

Claim 18 Danielson discloses translating the information into a format that is supported by the second adapter (Col lines 22-68), but not for translating the format into another protocol.

Mendelson discloses an initial translation, and furthermore determines if the destination address is native or not, and translates as necessary (Col 13 lines 12-15).

The motivation is the same as that for claim 13.

Claim 19 Danielson and Mendelson do not teach establishing a profile for future communication sessions.

Sylvian discloses a subscriber profile (element 310 in Fig 5) for establishing a connection (page11 line 29- page 12 line 9).

The motivation to modify the teachings of Danielson and Mendelson with the subscriber profile disclosed within Sylvian's invention is to manage and control subscriber information and services.

Claim 20 Danielson does not disclose a first object establishing a second object in which services for future communication will be used.

Sylvian discloses parameters being stored within the subscriber profile including the type of service, for which the connection between the first device and second device are determined (page 11 line 29- page 12 line 9). The motivation is the same as that for claim 19

Claim 21 Danielson discloses a form of protocol coordination mechanism, whereby a number of step/rules take place in order for communication to take place (disclosed in Col 5 lines 1-32). The motivation is the same as that for claim 13.

Claim 22 Danielson does not teach a user profile.

Sylvian discloses a subscriber profile (element 310 in Fig 5) for establishing a connection (page11 line 29- page 12 line 9).

The motivation to modify the teachings of Danielson and Mendelson with the subscriber profile disclosed within Sylvian's invention is to manage and control subscriber information and services.

Claim 23 Danielson discloses a form of protocol coordination mechanism, whereby a number of step/rules take place in order for communication to take place (disclosed in Col 5 lines 1-32). Furthermore, Sylvian discloses a subscriber profile (element 310 in fig 5) for authentication and authorization, and another database for updating location. One skilled in the art can appreciate the need for specific rules.

The motivation is the same as that for claim 22

Claim 24 Danielson does not disclose indicating conditions for linking the first object to the second object by considering available factors.

Sylvian discloses a subscriber profile that indicates several different conditions for linking, including preference data such as cost of routing (page 11 lines 29-page 12 line 9).

The motivation to modify the teachings of Danielson and Mendelson with the subscriber profile disclosed within Sylvian's invention is to manage and control subscriber information and services.

Claim 25 Danielson does not disclose registering agreements and conditions that are mutually agreed upon.

Sylvian discloses a subscriber profile that indicates preference data (registering agreement and conditions) for the linking between objects (page 11 lines 29-page 12 line 9). The motivation is the same as that for claim 24.

Claim 26 Danielson discloses the controller (element 20 in fig 2) being accessible to a number of devices (elements 21 A-N). The motivation is the same as that for claim 13.

Claim 28, 31, 34 Danielson does not specifically teach the protocol coordination mechanism determining how a particular communication link should be established between the first object and the second object.

Mendelson discloses determining how a particular connection between a source and destination may be established (Col 12 lines 43-59).

3. Claims 29-30, 32, 33, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danielson et al. (US 5239662) in view of Mendelson (US 6343083) in further view of Sylvian et al. (WO 98/37724) in further view of Sawyer et al. (US 6058115), hereinafter referred to as Sawyer.

Claim 29, 32, 35 The combined teachings of Danielson, Mendelson and Sylvian do not specifically disclose the protocol coordination mechanism analyzing the candidate protocols and determining a most effective protocol for establishing a communication session.

Sawyer discloses establishing a communication session between subscriber units where each subscriber may be capable of using any of a multiple of protocols (Col 4 lines 10-20). Sawyer discloses a memory for storing a priority list of possible protocols that may be used to establish communication, and using a task to determine which protocol is best suited (Col 7 lines 11-30).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the combined teachings of Danielson, Mendelson and Sylvian with the tasks of comparing and selecting a protocol as disclosed by Sawyer. The motivation for this modification is to make possible multiple communication protocols over a communication link (Col 1 lines 35-50).

Claim 30, 33, 36 The combined teachings of Danielson, Mendelson and Sylvian do not specifically disclose when an overlapping language is not available, the protocol coordination mechanism identifying protocols that are within a vocabulary of the first object and the second object and selects the protocol that minimizes a translation burden to a router.

Sawyer discloses identifying protocols that are within a vocabulary of the first object and the second object and selects the protocol that minimizes a translation burden (Col 4 lines 10-20 and Col 4 lines 52-67 and Col 7 lines 11-30).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the combined teachings of Danielson, Mendelson and Sylvian by maintaining the protocol list as disclosed by Sawyer, and furthermore making the comparison to determine a protocol as disclosed by Sawyer. The motivation for this modification is to make possible multiple communication protocols over a communication link (Col 1 lines 35-50).

Response to Arguments

4. Applicant's arguments filed on June 8, 2005 have been fully considered but they are not persuasive.

The applicant argued that the cited art does not disclose the Applicant's claimed "compares the parameters within the cache".

The examiner maintains that the same limitation, in its **broadest** term is already discussed in the rejection of claim 1, 7, 13 and 27 wherein Mendelson discloses an access network controller containing a cache of tables containing IP to MAC translation addresses and other parameters (Col 12 lines 26-59) pertaining to the networks (elements 112 and 110 in Fig 1). Mendelson discloses the table consisting of parameters of a number of protocols supported by a source and destination (Col 12 lines 43-59). It would have been obvious to one of the ordinary skill in the art at the time of the invention that finding a MAC address using an IP address requires some form of comparison in order to find a match, where an IP address is an attribute of a protocol.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2667


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Grey
Examiner
Art Unit 2667

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